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March 8, 2021

**VIA ECF**

The Honorable Gregory H. Woods  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: **Sims v. Sony Music Entertainment, et al., 20-cv-05322**

Dear Judge Woods:

We have been representing all defendants other than Mr. Barroso in the above-referenced action (“Defendants”). Mr. Barroso is a co-writer of the allegedly infringing song, “Focus,” along with our clients, Mr. Camper and Ms. Wilson. As set forth in the Interrogatory Responses of Mr. Camper and Ms. Wilson, the allegedly infringing music was composed solely by Mr. Camper while Ms. Wilson and Mr. Barroso were the authors of the lyrics, which are not at issue. Ms. Wilson is the recording artist known as H.E.R. who performed on the commercially-released recording of the song at issue. We are advised that Mr. Camper worked on the music apart from Mr. Barroso and Ms. Wilson.

Upon receipt of Mr. Katz’s letter to Your Honor of March 2, 2021, we reached out to Mr. Barroso’s management and were informed that he is unable to afford an attorney at this time. We advised Mr. Camper and Ms. Wilson of Mr. Barroso’s condition and they asked that we undertake to provide him with a defense in this action. On Friday, Mr. Barroso accepted their offer to provide him with a defense.

We have advised counsel for Plaintiff of the foregoing. We have already undertaken to prepare an Answer for Mr. Barroso and responses to Plaintiff’s discovery requests, and can serve both this week. There will not be any delay in this action as a result of our now undertaking to represent Mr. Barroso and we will continue to adhere to this Court’s Scheduling Order, as it has now been amended. In this regard, we effectively provided Mr. Walker with Mr. Barroso’s income information regarding the song at issue many months ago by voluntarily providing complete writer and publisher income for Mr. Camper and Ms. Wilson (who collectively have an authorship share of 75%) and explaining how the total writer and publisher income for the song could be easily computed by grossing up the shares of Mr. Camper and Ms. Wilson.<sup>1</sup>

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<sup>1</sup> Mr. Walker does not accept the accuracy or completeness of the writer and publisher income information we have provided and believes that there is some further writer and publisher



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Given Mr. Barroso's belief that he had nothing to do with the alleged infringement coupled with his apparent inability to pay for his own attorney, we respectfully submit that he should not be denied the right to be defended in this action, provided that Plaintiff is not prejudiced thereby. We do not believe Plaintiff will be prejudiced in any manner. Accordingly, we request that Plaintiff's request for leave to file a motion for dismissal or judgment on the pleadings be denied and that we be permitted to appear on behalf of Mr. Barroso and to file an Answer for him by Friday of this week and to also serve his discovery responses on Friday, March 12, 2021.

We will attend the conference scheduled by Your Honor but we believe that, if our proposal is accepted, it should obviate the need for any conference. Mr. Walker, Plaintiff's counsel, has advised that he wants the conference to proceed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ilene S. Farkas', with a large, stylized loop at the beginning.

Ilene S. Farkas

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income we have not disclosed. He proposes to serve a wave of subpoenas on third parties (we have seen and commented on the first 18) to test his thesis about hidden money. He is, of course, fully entitled to doubt us and to pursue discovery from potential sources of song income.